

**Introduced by Senator Chesbro**  
(Coauthor: Assembly Member Berg)

January 9, 2006

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An act to amend Section 6217 of, and to repeal Sections 6217 and 6217.2 of, the Public Resources Code, relating to natural resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 1125, as introduced, Chesbro. Natural resources: funding.

(1) Existing law, until July 1, 2006, requires the State Lands Commission to deposit specified money in the State Treasury, and the money to be applied to specified obligations in a certain priority. Existing law requires the Controller to transfer in each fiscal year the remainder of that money, after it is used to meet specified obligations, to the Resources Trust Fund. Existing law requires the Controller to annually transfer specified amounts from the fund to the Salmon and Steelhead Restoration Account, the Marine Life and Marine Reserve Management Account, the State Parks System Deferred Maintenance Account, and the Natural Resources Infrastructure Fund, in order of priority, for specified uses upon appropriation by the Legislature.

Existing law, on and after July 1, 2006, requires the specified money that the State Lands Commission is required to deposit in the State Treasury until July 1, 2006, to be deposited by the commission in the General Fund and made available for specified purposes.

This bill would repeal those provisions operative on and after July 1, 2006, and delete the repeal date of those provisions that are operative only until July 1, 2006, and, instead of requiring the money in the Resources Trust Fund to be transferred to those accounts and funds, would require it to be transferred first to the Salmon and Steelhead Restoration Account in a specified amount, and then in unspecified amounts to the Marine Life Management Account, which the bill

would create in the Resources Trust Fund, and the Nongame Fish and Wildlife Program Account, which the bill would create in the Resources Trust Fund, in order of priority, for specified uses, upon appropriation in the annual Budget Act.

(2) The bill would make other technical, conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 6217 of the Public Resources Code, as  
2 amended by Section 3 of Chapter 326 of the Statutes of 1998, is  
3 amended to read:

4 6217. With the exception of revenue derived from state  
5 school lands and from sources described in Sections 6217.6,  
6 6301.5, 6301.6, 6855, and Sections 8551 to 8558, inclusive, and  
7 Section 6406 (insofar as the proceeds are from property that has  
8 been distributed or escheated to the state in connection with  
9 unclaimed estates of deceased persons), the commission shall  
10 deposit in the State Treasury all revenue, money, and remittances  
11 received by the commission ~~under~~ pursuant to this division, and  
12 ~~under~~ pursuant to Chapter 138 of the Statutes of 1964, First  
13 Extraordinary Session, and those funds shall be applied to the  
14 following obligations in the following order of priority:

15 (a) To the General Fund, the revenue necessary to provide in  
16 any fiscal year for the following:

17 (1) Payment of refunds, authorized by the commission, out of  
18 appropriations made for that purpose by the Legislature.

19 (2) Payment of expenditures of the commission as provided in  
20 the annual Budget Act enacted by the Legislature.

21 (3) ~~Payments~~ Payment to cities and counties of the amounts  
22 specified in Section 6817 for the purposes specified in that  
23 section, and the revenues so deposited are appropriated for that  
24 purpose.

25 (4) ~~Payments~~ Payment to cities and counties of the amounts  
26 agreed to pursuant to Section 6875.

27 (b) To the California Housing Trust Fund, each fiscal year, the  
28 amount of two million dollars (\$2,000,000).

29 (c) (1) After meeting the obligations in subdivisions (a) and  
30 (b), the Controller shall transfer the balance of all ~~such~~ revenue,

money, and remittances received by the commission pursuant to this section in each fiscal year to the Resources Trust Fund.

~~The—~~

(2) *The* money in the Resources Trust Fund shall be collected for the purposes of, and held in trust for, preserving and protecting the natural and recreational resources of the state and, for this purpose, the Controller shall annually transfer the following sums from the Resources Trust Fund to the following accounts ~~and funds~~ in the following order of priority:

~~(1) Eight million dollars (\$8,000,000)~~

(A) *Twelve million dollars (\$12,000,000)* to the Salmon and Steelhead Trout Restoration Account in the Resources Trust Fund. The money in the account shall be appropriated in the annual Budget Act to the Department of Fish and Game for expenditure for the recovery of coho salmon, other species of salmon, and anadromous trout pursuant to Section 6217.1 of this code and Chapter 8 (commencing with Section 2760) of Division 3 of the Fish and Game Code.

~~(2) Two million two hundred thousand dollars (\$2,200,000) to the Marine Life and Marine Reserve Management Account, which is hereby created in the Resources Trust Fund. The money in the account shall be appropriated in the annual Budget Act to the Department of Fish and Game for expenditure for marine life management pursuant to Section 6217.2.~~

~~(3) Ten million dollars (\$10,000,000) to the State Parks System Deferred Maintenance Account, which is hereby created in the Resources Trust Fund. The money in the account shall be appropriated in the annual Budget Act to the Department of Parks and Recreation for deferred maintenance expenses.~~

~~(4) The remainder to the Natural Resources Infrastructure Fund which is an account in the Resources Trust Fund. The money in the Natural Resources Infrastructure Fund shall be available for expenditure, upon appropriation by the Legislature, for the purposes of preserving and protecting the natural and recreational resources of the state. Priority for the use of the money in the Natural Resources Infrastructure Fund shall be given to the following:~~

~~(A) For expenditure by the Department of Fish and Game, upon appropriation by the Legislature, for environmental review and monitoring, consultation with lead agencies, recommending~~

1 mitigation measures, and enforcement related activities pursuant  
2 to Division 13 (commencing with Section 21000).

3 (B) For expenditure, upon appropriation by the Legislature, for  
4 the purposes of land acquisition in Orange County and San Diego  
5 County pursuant to Chapter 10 (commencing with Section 2800)  
6 of Division 3 of the Fish and Game Code.

7 (C) For expenditure to meet the requirements of Section 2796  
8 of the Fish and Game Code that are not met pursuant to Section  
9 2795 of the Fish and Game Code, upon appropriation by the  
10 Legislature.

11 (D) For expenditure for nonpoint source pollution control  
12 programs of the State Water Resources Control Board and the  
13 California Coastal Commission, upon appropriation by the  
14 Legislature.

15 (B) \_\_\_\_\_ dollars (\$\_\_\_\_\_) to the Marine Life  
16 Management Account, which is hereby created in the Resources  
17 Trust Fund. The money in the account shall be appropriated in  
18 the annual Budget Act to the Department of Fish and Game for  
19 expenditure for management and protection of marine life  
20 pursuant to the Marine Life Management Act of 1998 (Chapter  
21 1052 of the Statutes of 1998) and the Marine Life Protection Act  
22 (Chapter 10.5 (commencing with Section 2850) of Division 3 of  
23 the Fish and Game Code), including, but not limited to, for  
24 fishery management plans, research and enforcement activities  
25 relating to marine fisheries, and management and protection of  
26 marine protected areas.

27 (C) \_\_\_\_\_ dollars (\$\_\_\_\_\_) to the Nongame Fish  
28 and Wildlife Program Account, which is hereby created in the  
29 Resources Trust Fund. The money in the account shall be  
30 appropriated in the annual Budget Act to the Department of Fish  
31 and Game for expenditure for management and protection of  
32 nongame fish and wildlife trust resources, and law enforcement  
33 activities relating to that management and protection, consistent  
34 with Section 711 of the Fish and Game Code.

35 The

36 (3) The Controller shall transfer any unencumbered balances  
37 remaining in the Salmon and Steelhead Trout Restoration  
38 Account, the Marine Life and Marine Reserve Management  
39 Account, the State Parks Deferred Maintenance Account, and the  
40 Natural Resources Infrastructure Fund the Marine Life

1 *Management Account, the Nongame Fish and Wildlife Program*  
2 *Account, and Resources Trust Fund* on June 30 of each year to  
3 the General Fund.

4 ~~This section shall become inoperative on July 1, 2006, and, as~~  
5 ~~of January 1, 2007, is repealed, unless a later enacted statute,~~  
6 ~~which becomes effective on or before January 1, 2007, deletes or~~  
7 ~~extends the dates on which it becomes inoperative and is~~  
8 ~~repealed.~~

9 SEC. 2. Section 6217 of the Public Resources Code, as  
10 amended by Section 24 of Chapter 240 of the Statutes of 2003, is  
11 repealed.

12 ~~6217. (a) With the exception of revenue derived from state~~  
13 ~~school lands and from sources described in Sections 6217.6,~~  
14 ~~6301.5, 6301.6, 6855, and Sections 8551 to 8558, inclusive, and~~  
15 ~~Section 6404 (insofar as the proceeds are from property that has~~  
16 ~~been distributed or escheated to the state in connection with~~  
17 ~~unclaimed estates of deceased persons), the commission shall~~  
18 ~~deposit all revenue, money, and remittances received by the~~  
19 ~~commission under this division, and under Chapter 138 of the~~  
20 ~~Statutes of 1964, First Extraordinary Session, in the General~~  
21 ~~Fund. Out of those funds deposited in the General Fund,~~  
22 ~~sufficient moneys shall be made available each fiscal year for the~~  
23 ~~following purposes:~~

24 ~~(1) Payment of refunds, authorized by the commission, out of~~  
25 ~~appropriations made for that purpose.~~

26 ~~(2) Payment of expenditures of the commission as provided in~~  
27 ~~the annual Budget Act.~~

28 ~~(3) Payments to cities and counties of the amounts specified in~~  
29 ~~Section 6817 for the purposes specified in that section, out of~~  
30 ~~appropriations made for that purpose.~~

31 ~~(4) Payments to cities and counties of the amounts agreed to~~  
32 ~~pursuant to Section 6875, out of appropriations made for that~~  
33 ~~purpose.~~

34 ~~(b) This section shall become operative on July 1, 2006.~~

35 SEC. 3. Section 6217.2 of the Public Resources Code, as  
36 added by Section 5 of Chapter 326 of the Statutes of 1998, is  
37 repealed.

38 ~~6217.2. Moneys in the Marine Life and Marine Reserve~~  
39 ~~Management Account created in the Resources Trust Fund~~  
40 ~~pursuant to paragraph (2) of subdivision (c) of Section 6217,~~

- 1 ~~shall be expended by the Department of Fish and Game for the~~  
2 ~~following purposes:~~  
3 ~~(a) To develop and implement fishery management plans.~~  
4 ~~(b) To fund research on marine life and marine fisheries.~~  
5 ~~(c) To fund peer reviews of research plans and fishery~~  
6 ~~management plans.~~  
7 ~~(d) To fund the evaluation, coordination, and management of~~  
8 ~~marine reserves and other marine managed areas.~~